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In the High Court of Punjab & Haryana at Chandigarh.

Date of decision : 13.10.2006.

Mukhtiar Singh .... Petitioner.

vs

Baldev Singh and another ... Respondents

Coram Hon'ble Ms. Justice Kiran Anand Lall.

Present: Mr.Devinder Kumar Kaushal,Advocate,for the petitioner.

Kiran Anand Lall, J.

This revision under Article 227 of the Constitution of India is directed against the order dated 9.9.2005 of the Additional Civil Judge (Senior Division), Faridkot, and order dated 18.7.2006 of the Additional District Judge, Faridkot, vide which the two courts have declined to set aside the sale of property of the petitioner (Judgment-debtor), held on 27.1.2001.

A perusal of the impugned orders shows that after dismissal of objections filed by the petitioner, sale (by way of auction) has already been confirmed by the court. Rule 92 of Order XXI of the Code of Civil Procedure, 1908, provides that when the court makes an order confirming the sale after dismissal of application (objections) for setting aside the same, the sale becomes absolute. That being so, the sale of petitioner's property also, has become absolute, and nothing wrong can be found with the impugned orders of the courts below refusing to set aside the same.

The revision shall, therefore, stand dismissed, in limine.

13.10.2006. (Kiran Anand Lall)
vs. Judge.